

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF MISSISSIPPI
DELTA DIVISION**

PEGGY BURT,

PLAINTIFF,

VS.

CIVIL ACTION NO. 2:07CV012-P-B

GRAND CASINO TUNICA, INC., ET AL.,

DEFENDANTS.

ORDER

This matter comes before the court upon Defendant Harrah's Entertainment, Inc.'s Motion for Summary Judgment [22]. After due consideration of the motion and the response filed thereto, the court finds as follows, to-wit:

The motion is not well-taken and should be denied. The plaintiff has successfully demonstrated a genuine issue of material fact with regard to whether Harrah's Entertainment, Inc.'s owned and operated Grand Casino Tunica, Inc. on or about September 20, 2005 by attaching Harrah Entertainment, Inc.'s own SEC Form 10-K Annual Report for the fiscal year ending on December 31, 2006. The SEC report clearly indicates that Harrah's Entertainment, Inc. owns Grand Casino Tunica, Inc. despite what is alleged in the Affidavit of BL Development Corporation signed by Tommy Reynolds. The court notes that Defendant Harrah's Entertainment, Inc. did not file a reply to the plaintiff's response to Harrah's Entertainment, Inc.'s motion for summary judgment.

IT IS THEREFORE ORDERED AND ADJUDGED that:

(1) Defendant Harrah's Entertainment, Inc.'s Motion for Summary Judgment [22] is **DENIED**; and

(2) Defendants Harrah's Entertainment, Inc. and BL Development Corporation are ordered to brief the court by September 28, 2007 explaining the readily apparent discrepancy between the

affiant's statement in the subject Affidavit of BL Development Corporation and Harrah's Entertainment, Inc.'s SEC Form 10-K Statement for the fiscal year ending on December 31, 2006.

SO ORDERED this the 7th day of September, A.D., 2007.

/s/ W. Allen Pepper, Jr.
W. ALLEN PEPPER, JR.
UNITED STATES DISTRICT JUDGE